



JFW 1746

Atty. Docket No. SP-1294.1 US

CERTIFICATE OF MAILING

I hereby certify that this paper, together with all enclosures identified herein, are being deposited with the United States Postal Service as first class mail, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

August 23, 2004
Date

Shirley O'Donnell
Shirley E. O'Donnell

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Schubert, et al.
Appln. No. : 10/033830
Filing Date : December 20, 2001
Art Unit : 1746
For : Seal for Electrochemical Cell

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.97(c)

Pursuant to 37 CFR §§1.56 and 1.97(c), Applicants bring to the attention of the Examiner the documents listed on the attached Form PTO-1449. This Information Disclosure Statement is being filed, to the undersigned's knowledge, before the mailing date of either a final Office Action or a notice of allowance on the above-referenced application.

A copy of the listed documents is submitted herewith along with Form PTO-1449. Applicants respectfully request that the Examiner consider each of the listed documents and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents do not constitute

Applicant : Schubert, et al.
Appln. No. : 10/033830
Page : 2 of 2

"prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

The Foreign Patent Documents listed were cited in the International Search Report, which issued from a corresponding PCT application. In lieu of a statement of relevance or translation of each of the non-English documents, one or more English language abstracts are enclosed. An English language version of the International Search Report citing the documents and setting forth the relevance thereof is also enclosed. The International Search Report is not a reference, and Applicants do not necessarily subscribe to any of the statements contained therein.

The undersigned person states, as specified in 37 C.F.R. § 1.97 (e), that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Information Disclosure Statement.

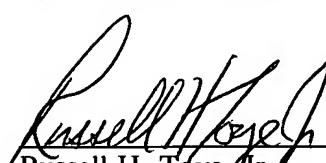
No fee is required since the above statement, as required in 37 C.F.R. 1.97 (e), is included.

Respectfully submitted,

Schubert, et al.

By: Eveready Battery Company, Inc.

8/19/04
Date



Russell H. Toye, Jr.
Registration No 43,200
25225 Detroit Road
Post Office Box 450777
Westlake, OH 44145
Phone: (440) 835-7343
FAX: (440) 899-6072

| | | | | | | | | |
|--|-----|-----------------|----------|---|---------|--|----------------------------|----|
| <p style="text-align: center;">INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i></p> <p style="text-align: right;">AUG 25 2004 JJC</p> <p style="text-align: center;">U.S. PATENT DOCUMENTS</p> | | | | Docket Number (Optional) SP-1294.1 US | | Application Number 10/033830 | | |
| | | | | Applicant(s) Schubert, et al. | | | | |
| | | | | Filing Date December 20, 2001 | | Group Art Unit 1746 | | |
| | | | | | | | | |
| U.S. PATENT APPLICATION PUBLICATIONS | | | | | | | | |
| *EXAMINER INITIAL | REF | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE | |
| | | 5,462,820 | 10/31/95 | Tanaka | 429 | 174 | 11/01/94 | |
| | | 5,332,633 | 07/26/94 | Adamson, et al. | 429 | 174 | 03/16/93 | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| FOREIGN PATENT DOCUMENTS | | | | | | | | |
| | REF | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | Translation | |
| | | | | | | | YES | NO |
| | | 10050278 | 02/20/98 | JP (abstract) | H01M 2 | 08 | | |
| | | 2001139797 | 05/22/01 | JP (abstract) | CO8L 71 | 12 | | |
| | | 00/39863 | 07/06/00 | WO | H01M 2 | 08 | | |
| | | | | | | | | |
| OTHER DOCUMENTS <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i> | | | | | | | | |
| | | | | | | | | |
| EXAMINER | | | | DATE CONSIDERED | | | | |
| EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | | | | | | | | |